

1 BILL NO. R-85-11-07

2 DECLARATORY RESOLUTION NO. R-126-85

3 A DECLARATORY RESOLUTION designating  
4 an "Economic Revitalization Area"  
under I.C. 6-1.1-12.1.

5 WHEREAS, Petitioner has duly filed its petition dated  
6 November 1, 1985, to have the following described property design-  
7 nated and declared an "Economic Revitalization Area" under Divi-  
8 sion 6, Article II, Chapter 2 of the Municipal Code of the City  
9 of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1,  
10 to-wit:

11 Part of the Southwest Quarter of  
12 the Northeast Quarter of Section 26,  
13 Township 31 North, Range 12 East,  
Allen County, Indiana, more parti-  
cularly described as follows:

14 Beginning at a point on the South  
15 line of the Southwest Quarter of  
16 the Northeast Quarter of Section 26,  
17 Township 31 North, Range 12 East,  
18 Allen County, Indiana, said point  
19 being 419.0 feet West of the SE  
20 corner of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of  
21 Sec. 26-31-12; thence West along  
22 the South line of the SW $\frac{1}{4}$  of the  
23 NE $\frac{1}{4}$  of Sec. 26-31-12, a distance  
24 of 187.5 feet; thence North with a  
25 deflection angle to the right of  
26 89 degr. 57 min. 20 sec. parallel  
27 to the East line of the SW $\frac{1}{4}$  of the  
28 NE $\frac{1}{4}$  of Sec. 26-31-12, a distance  
of 415.8 feet to a point on the  
South right-of-way line of Fernhill  
Avenue; thence East with a deflec-  
tion angle to the right of 90 degr.  
02 min. 40 sec. along the South  
right-of-way line of Fernhill Avenue,  
a distance of 187.5 feet; thence  
South with a deflection angle to  
the right of 89 degr. 57 min. 20 sec.  
and parallel to the East line of the  
SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 26-31-12, a  
distance of 415.8 feet to the point  
of beginning, containing 1.79 acres;

29 said property more commonly known as Fernhill Avenue--West of  
30 former Austin County Restaurant, Fort Wayne, Indiana.

31 WHEREAS, it appears that said petition should be pro-  
32 cessed to final determination in accordance with the provisions  
33 of said Division 6.



1 Page Two

2 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL  
3 OF THE CITY OF FORT WAYNE, INDIANA:

4 SECTION 1. That, subject to the requirements of Section  
5 4, below, the property hereinabove described is hereby designated  
6 and declared an "Economic Revitalization Area" under I.C. 6-1.1-  
7 12.1. Said designation shall begin upon the effective date of  
8 the Confirming Resolution referred to in Section 3 of this Resolu-  
9 tion and shall continue for one (1) year thereafter. Said desig-  
10 nation shall terminate at the end of that one-year period.

11 SECTION 2. That upon adoption of this Resolution:

12 (a) Said Resolution shall be filed with the Allen  
13 County Assessor;

14 (b) Said Resolution shall be referred to the Committee  
15 on Finance and shall also be referred to the De-  
16 partment of Economic Development requesting a re-  
17 commendation from said department concerning the  
18 advisability of designating the above designated  
19 area an "Economic Revitalization Area";

20 (c) Common Council shall publish notice in accordance  
21 with I.C. 5-3-1 of the adoption and substance of  
22 this Resolution and setting this designation as an  
23 "Economic Revitalization Area" for public hearing;

24 (d) If this Resolution involves an area that has al-  
25 ready been designated an allocation area under  
26 I.C. 36-7-14-39, then the Resolution shall be re-  
27 ferred to the Fort Wayne Redevelopment Commission  
28 and said designation as an "Economic Revitalization  
29 Area" shall not be finally approved unless said  
30 Commission adopts a resolution approving the peti-  
31 tion.  
32

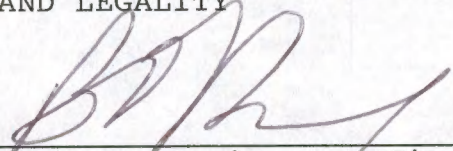
1 Page Three

2 SECTION 3. That this Resolution shall be subject to  
3 being confirmed, modified and confirmed or rescinded after public  
4 hearing and receipt by Common Council of the above described re-  
5 commendations and resolution, if applicable.

6 SECTION 4. That this Resolution shall be in full force  
7 and effect from and after its passage and any and all necessary  
8 approval by the Mayor.

9  
10   
11 Councilmember

12 APPROVED AS TO FORM  
13 AND LEGALITY

14   
15 Bruce O. Boxberger, City Attorney



Read the first time in full and on motion by \_\_\_\_\_,  
seconded by \_\_\_\_\_, and duly adopted, read the second time  
by title and referred to the Committee \_\_\_\_\_ (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.S.

DATE: \_\_\_\_\_

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by E. E. Smith,  
seconded by Smith, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 11-12-85

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~

~~(SPECIAL)~~ ~~(ZONING MAP)~~ ORDINANCE (RESOLUTION) NO. Q-126-85

on the 12th day of November, 1985,

ATTEST:

(SEAL)

Sandra E. Kennedy

Mark E. GiaQuinta

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 12th day of November, 1985,  
at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of November,  
1985, at the hour of 3:30 o'clock P.M., E.S.T.

Win Moses, Jr.

WIN MOSES, JR., MAYOR

APPLICATION FOR DESIGNATION  
AS AN ECONOMIC REVITALIZATION AREA  
-REAL ESTATE TAX ABATEMENT-

RECEIVED  
NOV 1 1985  
ECONOMIC  
DEVELOPMENT

This application is to be completed and signed by the owner of the property where development or rehabilitation is to occur. The City of Fort Wayne, Indiana, reviews this application for designation as an "Economic Revitalization Area" in regards to its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977; and all subsequent amendments made by the General Assembly thereafter.

1. Applicant Ervin's Savon Furniture, Inc.
2. Owner(s) Richard M. Ervin and Mark A. Ervin
3. Address of Owner(s) Richard: 10809 Watterson Road, Churubusco,  
IN 46723      Mark: 1716 Getz Road, Fort  
Wayne, IN 46804
4. Telephone Number of Owner(s): ( Richard: 693-9381 ) Mark: 432-6821
5. Relationship of Applicant to Owner(s) if any Owner/Shareholders
6. Address of Applicant 130 South Clinton Street, Fort Wayne,  
IN 46802
7. Telephone number of Applicant: (219) 422-0926
8. Address of Property Seeking Designation Fernhill Avenue--  
West of former Austin County restaurant.
9. Legal Description of Property Proposed for Designation  
(may be attached) See attached survey.
10. Township Washington
11. Taxing District 80



12. Current Zoning M-2
13. Variance Granted (if any) none
14. Current Use of Property
- a. How is property presently used? vacant lot
- 
- 
- b. What Structure(s) (if any) are on the property? none
- b. What is the condition of this structure/these structures N/A
15. Current Assessed Value of Real Estate
- a. Land 23,400--5-acre tract of which subject real estate is a part.
- b. Improvements N/A
16. Amount of Total Property Taxes Owed During the Immediate Past Year
- \$4,146.62 for 5 acres with improvements.
17. Description of Proposed Improvements to the Real Estate
- One-story, 20,000 square foot retail furniture store.
- 
- 
- 
18. Development Time Frame
- a. When will physical aspects of development or rehabilitation begin?
- December, 1985
- b. When is completion expected? April-May 1986
19. Cost of Project (not including land costs) \$500,000

20. Permanent Jobs Resulting from Completed Project

a. How many permanent jobs will be employed at or in connection with the project after it is completed? 12

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b. What is the nature of those jobs? Sales, Office,  
Personnel, Warehouse workers, Truck Drivers, Managers, Custodial.

c. Anticipated time frame for reaching employment level stated above?

First year

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21. Additional municipal services necessitated by installation of new manufacturing equipment (e.g. enlargement of sewer, etc.) None

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22. Undesirability for Normal Development

What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"?

Area has not developed as industrial as anticipated and normal  
development and growth would necessitate light commercial, which  
should substantially improve the value of the property.

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23. How will the proposed designation further the economic development objectives of the City of Fort Wayne? \_\_\_\_\_

Developing an area that is highly desirable for light commercial uses plus moving existing business from an undesirable flood-prone area.

24. Instrument Number of Commitments or Covenants Enforceably by the City of Fort Wayne or Allen County (if any). Provide brief description of same, or a copy thereof.

None.

25. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated?

Yes \_\_\_\_\_

No X

26. Financing on Project

What is the status of financing connected with this project? Industrial Revenue Bond financing through Lincoln

National Bank and Trust Company of Fort Wayne is pending.



I hereby certify that the information and representation on this Application are true and complete.

ERVIN'S SAVON FURNITURE, INC.

By: Richard M. Ervin  
Signature (s) of Owners  
RICHARD M. ERVIN, President

November 1, 1985  
Date

By: Mark A. Ervin  
MARK A. ERVIN, Secretary

November 2, 1985

Information Below to be filled in by Department of Economic Development:

Date Application Received:

Date Application Forwarded to Law Dept:

Date of Legal Notice Publication:

Date of Public Hearing:

Approved or Denied? Date:

Allocation Area:

# CERTIFICATE OF SURVEY

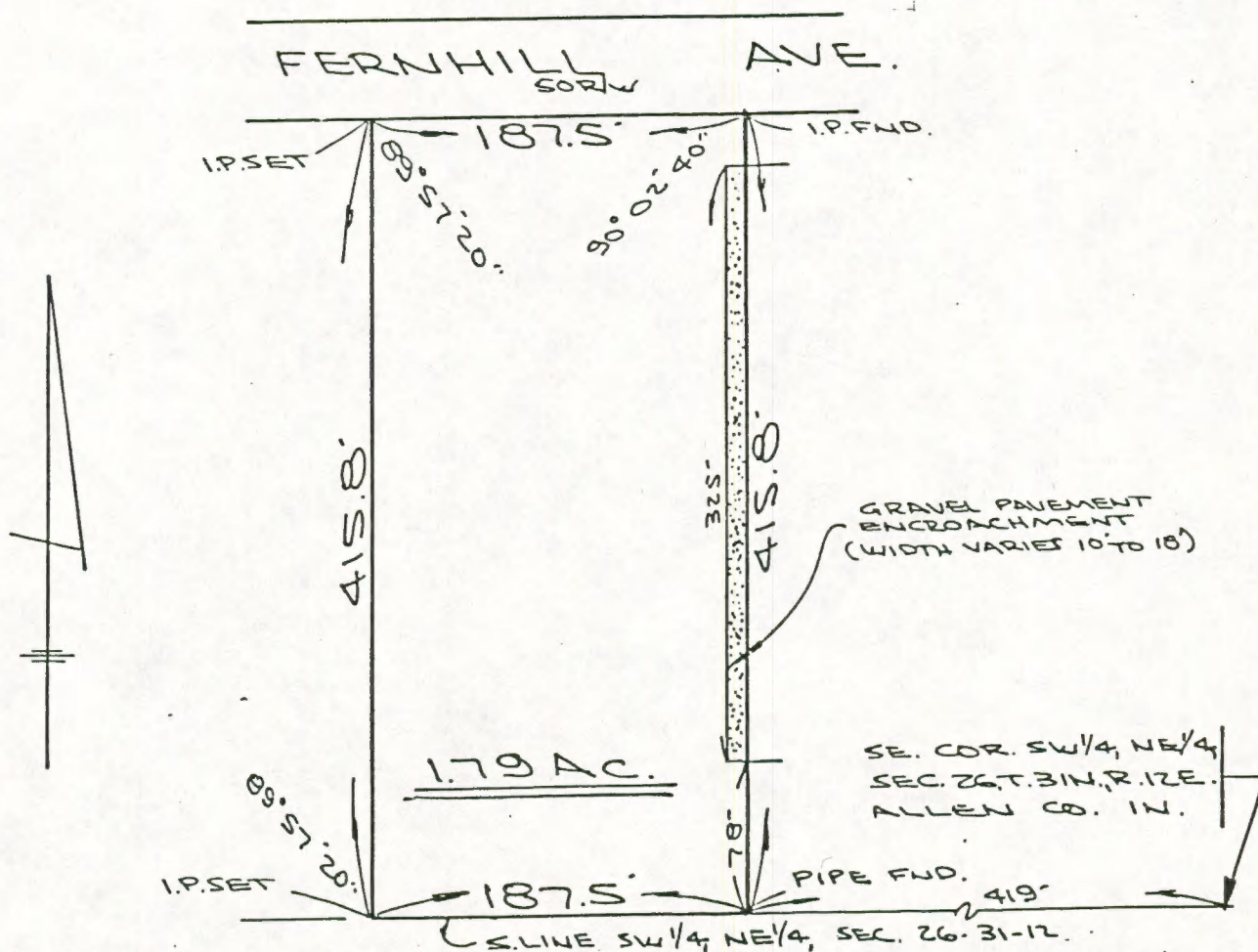
OFFICE OF:

**JOHN R. DONOVAN**  
 REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA  
 REGISTERED LAND SURVEYOR No. 9921 INDIANA  
 FORT WAYNE, INDIANA

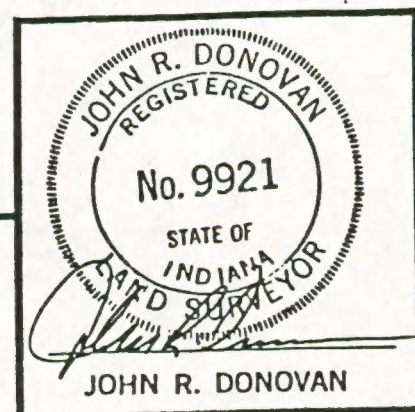
The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Part of the Southwest Quarter of the Northeast Quarter of Section 26, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:  
 Beginning at a point on the South line of the Southwest Quarter of the Northeast Quarter of Section 26, Township 31 North, Range 12 East, Allen County, Indiana, said point being 419.0 feet West of the SE corner of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 26-31-12; thence West along the South line of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 26-31-12, a distance of 187.5 feet; thence North with a deflection angle to the right of 89 degr. 57 min. 20 sec. parallel to the East line of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 26-31-12, a distance of 415.8 feet to a point on the South right-of-way line of Fernhill Avenue; thence East with a deflection angle to the right of 90 degr. 02 min. 40 sec. along the South right-of-way line of Fernhill Avenue, a distance of 187.5 feet; thence South with a deflection angle to the right of 89 degr. 57 min. 20 sec. and parallel to the East line of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 26-31-12, a distance of 415.8 feet to the point of beginning, containing 1.79 acres.



NOTE: According to the Flood Insurance Rate Map (FIRM), number 180003 0005B, dated April 3, 1985, the herein described real estate is not located in a flood hazard area (Zone C).



JOB FOR: GENERAL ELECTRIC- SAVON

12 30  
10-485



**SAVON FURNITURE, INC.**

130 S. CLINTON  
FORT WAYNE, IND. 46802

10056

PAY  
TO THE  
ORDER OF

CITY of FORT WAYNE  
FIFTY and 00/100  
\$ 50 -  
11-1 19 85  
DOLLARS



ANTHONY WAYNE BANK  
FORT WAYNE, INDIANA 46802

FOR

Tax Assessor's Application Fee

⑈010056⑈ ⑈074912328⑈ 127455 0⑈

Richard P. Mearns Vice

**SAVON FURNITURE, INC.**

130 S. CLINTON  
FORT WAYNE, IND. 46802

10055

PAY  
TO THE  
ORDER OF

CITY of FORT WAYNE  
Two Hundred Fifty and 00/100  
\$ 250 -  
11-1 19 85  
DOLLARS



ANTHONY WAYNE BANK  
FORT WAYNE, INDIANA 46802

FOR

EOC Application Fee

⑈010055⑈ ⑈074912328⑈ 127455 0⑈

Richard P. Mearns Vice

DIGEST SHEETTITLE OF ORDINANCE Declaratory Resolution

Q-85-11-07

DEPARTMENT REQUESTING ORDINANCE Economic Development

SYNOPSIS OF ORDINANCE A Declaratory Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1. (Ervin's Savon Furniture, Inc. - Fernhill Avenue--West of former Austin County Restaurant)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

EFFECT OF PASSAGE A one-story building will be constructed on property that is presently vacant which will develop an area that is highly desirable for light commercial uses plus moving existing business from an undesirable flood-prone area.

EFFECT OF NON-PASSAGE Opposite of the above.

\_\_\_\_\_

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$500,000.00

\_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_



BILL NO. R-85-11-07

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS  
REFERRED AN (~~ORDINANCE~~) (RESOLUTION) Declaratory resolution  
designating an "Economic Revitalization Area" under  
I.C. 6-1.1-12.1

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (~~ORDINANCE~~)  
(RESOLUTION) DO PASS DO NOT PASS WITHDRAWN

YES

NO

BEN A. EISBART  
CHAIRMAN

JANET G. BRADBURY  
VICE CHAIRWOMAN

SAMUEL J. TALARICO

THOMAS C. HENRY

JAMES S. STIER

CONCURRED IN 11-12-85

SANDRA E. KENNEDY  
CITY CLERK